

THURSDAY, APRIL 27, 1989

THIRTY-NINTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Vin Walkup, Pastor, Bethlehem United Methodist Church, Franklin, Tennessee.

Representative Clint Callicott led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Starnes was excused because of an out of state meeting.

RULES SUSPENDED

Rep. Duer moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Bill No. 122

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can be heard by the Transportation Committee on Tuesday, May 2, 1989, which motion prevailed.

MOTION

Rep. Winningham moved to suspend Rule No. 78, so that House Bill No. 1480, having been filed after the tenth legislative day, could be heard in Transportation Committee on Tuesday, May 2, 1989, which motion prevailed.

MOTION

Rep. Winningham moved to suspend Rule No. 78, so that House Bill No. 1494, having been filed after the tenth legislative day, could be heard in State and Local Government Committee on Tuesday, May 2, 1989, which motion prevailed.

MOTION

Rep. Henry (Putnam) moved to suspend Rule No. 78, so that House Bill No. 1495, having been filed after the tenth legislative day, could be heard in State and Local Government Committee on Tuesday, May 2, 1989, which motion prevailed.

REGULAR CALENDAR

*House Bill No. 0649 -- Mental Health and Mental Retardation, Dept. of -- Provides services for mentally ill, mentally retarded, and abusers of controlled substances. Amends TCA, Title 33.

Further consideration of House Bill No. 649, previously considered on April 13, 1989, at which time it was reset to the Calendar for April 27, 1989.

Rep. DeBerry moved that House Bill No. 649 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber,

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Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray
-- 96.

A motion to reconsider was tabled.

***House Bill No. 0155 -- Mental illness --** Grants mental health professionals immunity from certain civil suits resulting from violent acts of patients. Amends TCA, Title 33, Ch. 10.

Further consideration of House Bill No. 155, previously considered on April 10, 1989, at which time the House adopted Amendments Nos. 1 and 2 and reset the bill to the Calendars for April 13, 1989, and April 27, 1989.

Rep. West moved that House Bill No. 155 be reset to the Calendar for last Calendar day of this session, which motion prevailed.

House Bill No. 0998 -- Day Care -- Reduces restaurant permit fees and reinspection fees for day care centers, group and family day care homes. Amends TCA, Title 68, Ch. 14; Title 71.

Rep. Turner (Hamilton) moved that House Bill No. 998 be passed on third and final consideration.

Rep. Hillis moved to amend as follows:

Amendment No. 1

Amend House Bill No. 998 by deleting all language of the bill following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-14-303(10), is amended by deleting the word and punctuation "establishments." and by substituting instead the following:

"establishments; provided, however, in no event shall an inspection or reinspection fee be levied or collected from a day-care center, as defined by Tennessee Code Annotated, Section 71-3-501(b)(4), from a group day-care home, as defined by Tennessee Code Annotated, Section 71-3-501(b)(9), or from a family day-care home, as defined by Tennessee Code Annotated, Section 71-3-501(b)(7)."

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SECTION 2. Tennessee Code Annotated, Section 68-14-313(a), is amended by adding the following sentence to the end of subdivision (5):

"The provisions of this section shall not apply to family day care homes, as defined by Tennessee Code Annotated, Section 71-3-501(b)(7)."

SECTION 3. This act shall take effect on becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Turner (Hamilton) moved that House Bill No. 998, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

*House Bill No. 1304 -- Mental Health and Mental Retardation, Dept. of -- Removes department's responsibility for psychological examinations of persons convicted of sex crimes. Amends TCA, Title 33.

On motion, House Bill No. 1304 was made to conform with Senate Bill No. 1147.

On motion, Senate Bill No. 1147, on same subject, was substituted for House Bill No. 1304.

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Rep. Byrd moved that Senate Bill No. 1147 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1147 by deleting Section 3 in its entirety and by substituting instead the following:

Section 3. Tennessee Code Annotated, Section 33-6-305(a), is amended by deleting the subsection in its entirety and substituting instead the following subsection:

(a) Not more than one (1) year nor less than six (6) months prior to the non-parole release of any person convicted of a sex crime, an examination of such person shall be made by a psychiatrist or licensed psychologist or psychological examiner from the department of correction.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Byrd moved that Senate Bill No. 1147, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

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House Joint Resolution No. 0182 -- General Assembly, Proclamations -- Proclaims May 7-13, 1989 as Poke Sallet Festival Week.

Rep. Winningham moved that House Joint Resolution No. 182 be adopted, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE
April 27, 1989**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 232; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0232 -- General Assembly, Confirmation of Appointment -- Confirms appointment of Lucius Burch, Jr. to Tennessee Racing Commission.

RULES SUSPENDED

Rep. Naifeh moved to suspend the rules for the immediate introduction of Senate Joint Resolution No. 232 and requested that it be referred to the State and Local Government Committee, which motion prevailed.

Rep. Naifeh moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that Senate Joint

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Resolution No. 232 can be heard by the State and Local Government Committee on Tuesday, May 2, 1989, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 0427 -- Juvenile Offenders -- Makes it a delinquent act for a juvenile to escape or attempt to escape from a detention or correctional facility. Amends TCA 37-1-116.

Rep. C. Turner (Shelby) moved that House Bill No. 427 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend House Bill No. 427 by deleting the amendatory language of Section 1 and by substituting instead the following:

()

(1) Any juvenile who is alleged or adjudicated to be delinquent; who is confined to a secure detention or correctional facility designated, operated, or approved by the court; and who absconds or attempts to abscond from such facility; may be charged with the offense of escape or attempted escape and a petition alleging such offense may be filed with the juvenile court of the county in which the alleged offense occurred. If the allegations of the petition are sustained, then the court may make any order of disposition authorized by Tennessee Code Annotated, Section 37-1-131.

(2) Any juvenile who is alleged or adjudicated to be delinquent; who has been placed by the court in a secure detention or correctional facility designated, operated, or approved by the court; who is being transported to or from such facility; and who absconds or attempts to abscond from the custody of the person responsible for such transportation; may be charged with the offense of escape or attempted escape and a petition alleging such offense may be filed with the juvenile court of the county in which the alleged offense occurred. If the allegations of the petition are sustained, then the court may make any order of disposition authorized by Tennessee Code Annotated, Section 37-1-131.

On motion, Amendment No. 1 was adopted.

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Thereupon, Rep. C. Turner (Shelby) moved that House Bill No. 427, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	1

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Armstrong -- 1.

A motion to reconsider was tabled.

*House Bill No. 0083 -- Trusts -- Regulates fund raising for certain catastrophic illnesses.

Rep. Pruitt moved that House Bill No. 83 be passed on third and final consideration.

Rep. Pruitt moved to amend as follows:

Amendment No. 1

Amend House Bill No. 83 by inserting the following language in the second paragraph of Section 3 at the end of the first sentence:

and for the payment of reasonable solicitation costs and expenses, when appropriate, incurred by the organizer, promoter or solicitor

On motion, Amendment No. 1 was adopted.

Rep. Williams moved to amend as follows:

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Amendment No. 2

Amend House Bill No. 83 by adding before the effective date section the following new section and by renumbering the effective date section accordingly:

SECTION ____ . The provisions of this act shall not apply to any nonprofit corporation which is:

- (1) Incorporated under the laws of Tennessee;
- (2) Exempt from federal income taxation under 26 U.S.C. Section 501(c)(3); and
- (3) Requested by a patient or a patient's family to raise funds for an organ transplant for a specific individual.

Any such funds remaining in a particular account shall revert to the general fund of such corporation to be used to assist other similarly situated persons.

On motion, Amendment No. 2 was adopted.

Rep. Pruitt moved that House Bill No. 83 be reset to the Calendar for Wednesday, May 3, 1989, which motion prevailed.

House Bill No. 1107 -- Financial Disclosure -- Revises threshold for certain reporting requirements. Amends TCA, Titles 2, 3, 8.

Rep. Herron moved that House Bill No. 1107 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1107 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Lobbying Ethics Act of 1989".

SECTION 2. Tennessee Code Annotated, Section 3-6-102(7), is amended by adding the following language at the end of the subdivision:

"Expenditure" also includes any honorarium.
"Honorarium" means a payment of money or anything of

value for an appearance, speech, or article, but honorarium shall not include actual and necessary travel expenses which are not paid or reimbursed.

SECTION 3. Tennessee Code Annotated, Section 3-6-102, is amended by adding the following language as an appropriately numbered subdivision:

() "Solicit" means to entreat, to implore, to ask, to attempt, or to try to obtain;

SECTION 4. Tennessee Code Annotated, Section 3-6-108(a), is amended by designating the present language as subdivision (1) and by adding the following new subdivision:

(2) No lobbyist or anyone acting at the direction of a lobbyist shall make, offer, or attempt to offer gifts or expenditures to an official in the legislative or executive branch or to his immediate family with a cumulative total of more than five hundred dollars (\$500) during a calendar year.

SECTION 5. Tennessee Code Annotated, Section 3-6-108, is amended by adding the following new subsections at the end of the section:

(f) No official in the legislative or executive branch or a member of the staff or immediate family shall solicit any employment from a lobbyist.

(g) No lobbyist or anyone acting at the direction of a lobbyist shall instigate any legislative or executive action for the purpose of obtaining employment.

(h) No lobbyist or anyone acting at the direction of a lobbyist shall pay or agree to pay an official in the legislative or executive branch compensation for property or services substantially in excess of that charged in the ordinary course of business.

(i) No lobbyist or anyone acting at the direction of a lobbyist shall permit an official in the legislative or executive branch or a staff member or a member of the official's immediate family to use the credit or credit card or that of a lobbyist's employer or any other credit or credit card over which the lobbyist has control unless the lobbyist attends the meal or other activity in which the official, staff member, or immediate family member participates.

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(j) No lobbyist or anyone acting at the direction of a lobbyist shall pay the hotel expenses of an official in the legislative branch if the official receives an expense allowance under Tennessee Code Annotated, Section 3-1-106.

SECTION 6. Tennessee Code Annotated, Section 3-6-106(b), is amended by adding the following new subdivision:

(3) Any cumulative total of more than fifty dollars (\$50) of expenditures during a single week to benefit an official in the legislative branch, a member of the official's staff or a member of the official's immediate family.

SECTION 7. Tennessee Code Annotated, Title 3, Chapter 6, is amended by adding the following new section:

Section 3-6-1. Any employment agreement between a lobbyist and the employer of a lobbyist shall be in writing.

SECTION 8. Tennessee Code Annotated, Section 8-50-502, is amended by adding after subdivision (8) the following new subdivision and by renumbering the subsequent subdivision accordingly:

() Any loan or combination of loans of more than one thousand dollars (\$1,000) from the same source made to the person making disclosure or spouse or minor children unless:

(A) The loan is from an immediate family member; or

(B) The loan is from a financial institution whose deposits are insured by an entity of the federal government, or such loan is made in accordance with existing law and is made in the ordinary course of business. A loan is made in the ordinary course of business if the lender is in the business of making loans, and the loan bears the usual and customary interest rate of the lender for the category of loan involved, is made on a basis which assures repayment, is evidenced by a written instrument, and is subject to a due date or amortization schedule.

SECTION 7. This act shall take effect on July 1, 1989, the public welfare requiring it.

Rep. Miller moved to amend as follows:

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Amendment No. 1 to Amendment No. 1

AMEND House Bill No. 1107 by adding after Section 3 the following new section and by renumbering the subsequent sections accordingly:

SECTION ____ Tennessee Code Annotated, Section 3-6-102(8) is amended by adding after the second sentence the following language:

"Gift" shall not include the waiver of a registration fee for a conference or educational seminar.

AND FURTHER AMEND by deleting Section 4 in its entirety and by substituting instead the following:

Tennessee Code Annotated, Section 3-6-106(b), is amended by adding the following new subdivision:

() An itemized list by dates, beneficiaries, amounts and circumstances of the transactions of gifts or expenditures with a cumulative total of more than five hundred dollars (\$500) during the reporting period made by a registrant or anyone acting at the specific direction of the registrant to benefit an official in the legislative branch.

AND FURTHER AMEND by deleting Section 6 in its entirety and by substituting instead the following:

Tennessee Code Annotated, Section 3-6-106(b), is amended by adding the following new subdivision:

Any cumulative total of more than fifty dollars (\$50.00) of expenditures during a single week to benefit an official in the legislative branch.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Rep. Miller moved to amend as follows:

Amendment No. 2 to Amendment No. 1

Amend House Bill No. 1107 by adding the following new sections immediately before the effective date sections and by renumbering the effective date section accordingly.

SECTION ____ Tennessee Code Annotated, Title 2, Chapter 10, is amended by adding the following appropriately numbered new section:

During an annual legislative session a political party caucus of each statewide political party being

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represented in each house of the general assembly may conduct only one (1) fundraising event. During an annual legislative session, no candidate for or a member of either the house of representatives or the senate may conduct a fundraising event, and during an annual legislative session no such candidate or member may accept a contribution as defined in Tennessee Code Annotated, Section 2-10-102, from any lobbyist or employer of a lobbyist.

SECTION ____ Tennessee Code Annotated, Section 3-6-106(b), is amended by adding the following new subdivision:

() Events where invitations are extended to the entire membership of the general assembly shall be exempt from the reporting requirements of this section.

SECTION ____ Tennessee Code Annotated, Section 3-6-106(b), is further amended by adding the following new subdivision:

() In determining the threshold for the reporting levels required by this chapter for an event attended by more than one (1) official of the legislative branch, a staff member, or immediate family member, a lobbyist may attribute only the actual cost for any gift or expenditure to each such official or member in attendance.

SECTION ____ Tennessee Code Annotated, Section 3-6-106, is amended by adding the following new subsection:

() When the employer of a lobbyist makes a gift or an expenditure to an official in the legislative branch, and the lobbyist has no prior knowledge of such gift or expenditure, such lobbyist shall not be responsible for including such gift or expenditure in the reports required by this chapter.

Rep. Bivens moved that, pursuant to Rule No. 13, House Bill No. 1107 be set as a special order for Wednesday, May 3, 1989, which motion prevailed.

House Bill No. 0933 -- Paternity -- Waives fee for birth certificate in certain circumstances. Amends TCA 36-2-206.

Rep. Nuber moved that House Bill No. 933 be passed on third and final consideration.

Rep. Nuber moved to amend as follows:

Amendment No. 1

Amend House Bill No. 993 by deleting the amendatory language of Section 1 in its entirety, and by substituting instead the following language:

() In cases of children who are public charges or who are AFDC recipients, no fee shall be assessed for processing a new birth certificate or for issuing one certified copy of the new certificate at the time the new birth certificate is processed and prepared.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Nuber moved that House Bill No. 933, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

*House Bill No. 0086 -- Solid Waste Disposal -- Prohibits expansion of certain land fills. Amends TCA, Title 68, Ch. 31.

Mr. Speaker Murray relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

Rep. Love moved that House Bill No. 86 be passed on third and final consideration.

Rep. Rhinehart moved the previous question, which motion failed.

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Rep. Odom moved to amend as follows:

Amendment No. 1

Amend House Bill No. 86 by adding the following new sections immediately before the effective date sections and numbering the sections accordingly:

SECTION _____. Tennessee Code Annotated, Title 68, Chapter 31, is amended by adding the following new section:

Section ____.

(a) Notwithstanding any provision of law to the contrary, no registration for solid waste disposal by landfilling or solid waste processing by landfilling shall be granted if the landfill is located in a 100-year floodplain.

(b) Notwithstanding the provisions of Section 68-31-106 to the contrary, no waiver, variance or exemption shall be granted for any landfill which is located in a 100-year floodplain.

(c) Notwithstanding any provision of law to the contrary, no landfill shall be located in a 100-year floodplain or on land removed from such floodplain through the use of dikes, levies, dams or any other artificial barriers.

SECTION _____. Tennessee Code Annotated, Section 68-31-103, is amended by adding the following new subdivision:

() "Landfill" means any land used for disposal of household waste;

Rep. Clark moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes.	34
Noes.	54
Present and not voting.	4

Representatives voting aye were: Anderson, Armstrong, Bell, Buck, Cain, Clark, Collier, Crain, Curlee, DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Hassell, Hillis, Hubbard, Jones, R. (Shelby), Jones, U. (Shelby), Kisber, Love, Moore (Shelby), Napier, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Stallings, Turner, L. (Shelby), Williams, Winningham -- 34.

Representatives voting no were: Bittle, Bivens, Burnett, Byrd, Callicott, Chiles, Coffey, Cross, Davidson, Davis (Cocke), Davis

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(Gibson), Davis (Knox), Duer, Givens, Good, Gunnels, Halteman, Harrill, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Huskey, Jackson, Kent, Kernell, McDaniel, Miller, Moody, Moore (Lawrence), Niceley, Nuber, Odom, Peroulas, Pinion, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Turner, C. (Shelby), Webb, West, Wheeler, Wix, Wolfe, Wood, Yelton -- 54.

Representatives present and not voting were: Bragg, Haun, Naifeh, Whitson -- 4.

Thereupon, Rep. Odom renewed his motion to adopt Amendment No. 1.

Rep. Duer moved that House Bill No. 86 be reset to the Calendar for Thursday, May 4, 1989, which motion prevailed.

***House Bill No. 0085** -- Correction, Dept. of -- Prohibits use of male correction officers in women's prison. Amends TCA, Title 41.

Rep. Love moved that House Bill No. 85 be reset to the Calendar for first session day, second week of February, 1990, which motion prevailed.

House Bill No. 0893 -- Taxes, Inheritance Gift -- Enacts "Payment of Transfer Taxes in Kind Act". Amends TCA 67-1-1802; Title 67, Ch. 8.

On motion, House Bill No. 893 was made to conform with Senate Bill No. 535.

On motion, **Senate Bill No. 535**, on same subject, was substituted for House Bill No. 893.

Rep. Purcell moved that Senate Bill No. 535 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes,

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Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 93.

A motion to reconsider was tabled.

House Bill No. 1343 -- Personal Property -- Establishes certain offenses pertaining to recorded devices or articles. Amends TCA, Title 39, Ch. 3, Pt. 11.

Rep. Burnett moved that House Bill No. 1343 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 1343 by deleting from the amendatory language of Section 3(a) the words and punctuation "sell or resale," and by substituting instead the words and punctuation "sell or resell,".

AND FURTHER AMEND by deleting the amendatory language of Section 4 and by substituting instead the following:

Every recorded device knowingly sold or transferred, advertised or offered for sale or resale, caused to be sold or resold, rented or transported, caused to be rented or transported, or possessed for the purpose of sale by any manufacturer, distributor, wholesaler, or retail merchant for commercial advantage or private financial gain shall contain on its packaging clearly and conspicuously the true name and address of the manufacturer and the name of the performer or group; provided, however, the term "manufacturer" shall not include the manufacturer of the cartridge or casing itself.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Burnett moved that House Bill No. 1343, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	1

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry

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(Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 90.

Representatives voting no were: Armstrong -- 1.

A motion to reconsider was tabled.

House Bill No. 1352 -- Consumer Protection -- Revises various provisions of Health Club Bond Act. Amends TCA, Title 47, Ch. 18, Pt. 3.

Rep. Burnett moved that House Bill No. 1352 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1352 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 47-18-302, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) It shall be unlawful to operate a health club unless a valid certificate of registration is obtained for each location where health club services or facilities are provided and payment of the fee required for such registration is made.

SECTION 2. Tennessee Code Annotated, Section 47-18-302, is further amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) Each holder of a certificate of registration shall display such certificate in a conspicuous place at the location where health club services or facilities are provided.

SECTION 3. Tennessee Code Annotated, Section 47-18-302, is further amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) Certificates of registration shall be renewed annually.

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SECTION 4. Tennessee Code Annotated, Section 47-18-302, is further amended by deleting subsections (d) through (g), inclusive, in their entirety.

SECTION 5. Tennessee Code Annotated, Title 47, Chapter 18, Part 3, is amended by adding a new section thereto, as follows:

Section _____. (a) An application for a certificate of registration shall be submitted on forms furnished by the division and shall be accompanied by:

(1) A registration fee of two hundred fifty dollars (\$250.00) per location; and

(2) Copies of all health club agreements offered by the health club.

(b) Upon compliance with the provisions of this part by an applicant, the division shall issue a certificate of registration.

SECTION 6. Tennessee Code Annotated, Title 47, Chapter 18, Part 3, is amended by adding a new section thereto, as follows:

Section _____. (a) A certificate of registration shall be invalid upon expiration until it is renewed.

(b) Application for renewal of a certificate of registration shall be submitted to the division before the expiration date on forms furnished by the division, and shall be accompanied by:

(1) A fee of one hundred fifty dollars (\$150.00) per location; and

(2) Copies of all health club agreements offered by the health club.

(c) Certificates of registration shall be subject to late renewal for thirty (30) days following their expiration date by payment of the prescribed fee plus a penalty of fifty dollars (\$50.00).

(d) No renewal application will be accepted thirty (30) days from its expiration.

(e) Upon compliance with the provisions of this part by an applicant, the division shall renew a certificate of registration.

SECTION 7. Tennessee Code Annotated, Title 47, Chapter 18, Part 3, is further amended by adding a new section

thereto, as follows:

Section _____. (a) No certificate of registration shall be transferable to another person.

(b) Upon a change of ownership of a health club or any of its locations, the new owner shall apply for and obtain a new certificate of registration before commencing or continuing business.

SECTION 8. Tennessee Code Annotated, Section 47-18-303, is amended by deleting the first sentence in its entirety and by substituting instead the following:

A health club agreement shall be unenforceable against the buyer, and the buyer shall be entitled to a refund if:

SECTION 9. Tennessee Code Annotated, Section 47-18-303, is amended by deleting item (2) in its entirety and by substituting instead the following:

(2) The health club fails to obtain and maintain a certificate of registration as required by this part; or

SECTION 10. Tennessee Code Annotated, Title 47, Chapter 18, Part 3, is further amended by adding a new section thereto, as follows:

Section _____. In addition to any other penalty provided by this part, the following, upon conviction, shall constitute a misdemeanor:

(1) The violation of any provision of this part;

(2) Obtaining or attempting to obtain a certificate of registration or a certificate of exemption through misrepresentation or fraud;

(3) Obtaining an ownership interest in a health club or its assets when such health club is in violation of any provision of this part; or

(4) The willful failure to display conspicuously a proper certificate of registration or certificate of exemption.

SECTION 11. Tennessee Code Annotated, Title 47, Chapter 18, Part 3, is amended by adding a new section thereto, as follows:

Section _____. (a) Any individual, firm, corporation, association, or other legal entity who obtains an ownership

interest in a health club or its assets shall be responsible for determining that such health club is in compliance with the provisions of this part.

(b) A health club shall provide written notice to the division by registered or certified mail with ten (10) days after any change in ownership or the sale of a health club or any of its locations.

(c) A health club shall provide written notice to the division with ten (10) days after the health club or any of its locations ceases to conduct business.

SECTION 12. Tennessee Code Annotated, Section 47-18-305, is amended by adding the a new item thereto, as follows:

() Contain in boldface type of at least fourteen (14) points, the following statement:

SHOULD YOU (THE BUYER) CHOOSE TO PAY THIS AGREEMENT IN FULL, BE AWARE THAT YOU ARE PAYING FOR FUTURE SERVICES AND MAY BE RISKING LOSS OF YOUR MONEY IN THE EVENT THIS HEALTH CLUB CEASES TO CONDUCT BUSINESS.

SECTION 13. Tennessee Code annotated, Section 47-18-305, is further amended by adding a new item thereto, as follows:

() Contain in boldface type, the following statements in separated paragraphs:

(A) IN ADDITION TO ANY OTHER REMEDIES PROVIDED BY LAW, IN THE EVENT THIS HEALTH CLUB CEASES OPERATION AND FAILS TO OFFER YOU (THE BUYER) AN ALTERNATE LOCATION WITHIN FIFTEEN (15) MILES, WITH NO ADDITIONAL COST TO YOU, THEN NO FURTHER PAYMENTS SHALL BE DUE TO ANYONE, INCLUDING ANY PURCHASER OF ANY NOTE ASSOCIATED WITH OR CONTAINED IN THIS CONTRACT.

(B) STATE LAW REQUIRES THAT HEALTH CLUB AGREEMENTS BE PAYABLE ONLY IN THE FOLLOWING MANNER:

(i) Full payment upon entering into the health club agreement; or

(ii) Equal monthly installments spread over the entire term of the agreement with any down payment (unless exempt as provided by law) limited to fifteen percent (15%) of the total cost of the agreement.

(C) THIS CONTRACT DOES NOT CONTAIN ANY PAYMENTS OF ANY KIND, INCLUDING BUT NOT LIMITED TO, ENROLLMENT FEES, MEMBERSHIP FEES, OR ANY OTHER DIRECT PAYMENTS TO THE HEALTH CLUB, OTHER THAN FULL PAYMENT FOR THE HEALTH CLUB AGREEMENT OR MONTHLY INSTALLMENT PAYMENTS WITH ANY DOWN PAYMENT (UNLESS EXEMPT AS PROVIDED BY LAW) LIMITED TO FIFTEEN PERCENT (15%) OF THE TOTAL COST OF THE AGREEMENT.

(D) THERE ARE NO COMPLIMENTARY, COMPENSATORY, OR OTHER EXTENSIONS OF THE TERM INCIDENT TO THE TERM OF THIS CONTRACT; INCLUDING BUT NOT LIMITED TO A PROMISE OF LIFETIME RENEWAL FOR A MINIMAL ANNUAL FEE.

SECTION 14. Tennessee Code Annotated, Section 47-18-305, is further amended by designating the existing language as subsection (a) and by adding the following as new subsection (b):

(b) A health club shall not enter or offer to enter into a health club agreement unless the health club is fully operational and available for use.

SECTION 15. Tennessee Code Annotated, Title 47, Chapter 18, Part 3, is amended by adding a new section thereto, as follows:

Section _____. (a) It shall be unlawful to accept down payment for a health club agreement in an amount in excess of fifteen percent (15%) of the total cost of the agreement without a valid certificate of exemption.

(b) Each holder of a certificate of exemption shall display such certificate in a conspicuous place at each location where health club services or facilities are provided.

(c) Certificates of exemption shall be valid for one (1) year from the date of issuance.

(d) Application for renewal of a certificate of exemption shall be submitted before the expiration date on forms furnished by the division, and shall contain a sworn certification by the holder that the requirements for exemption continue to be met, and that the holder is in full compliance with all provisions of this part.

(e) In the event a holder of a certificate of exemption ceases to meet the requirements for exemption, then the certificate of exemption shall be invalid.

(f) Within ten (10) days after any change in the

information contained in the original application or the application for renewal, each holder of a certificate of exemption shall notify the division of the change by registered or certified mail.

(g) An application for exemption shall be submitted on forms furnished by the division and shall be accompanied by:

(1) A non-refundable application fee of fifty dollars (\$50.00); and

(2) A current personal or corporate financial statement prepared by a public accountant who holds a valid permit to practice in Tennessee.

(h) A certificate of exemption shall be granted, provided the application provides proof satisfactory to the division that the following criteria are met:

(1) The applicant has a net worth in excess of two hundred fifty thousand dollars (\$250,000) per location where health club services or facilities are provided; and

(2) The applicant has operated under substantially the same ownership and control for at least five (5) years.

(i) For the purpose of calculating net worth as provided in subsection (h), the following are excluded:

(1) Assets which represent pre-payment for future services;

(2) Accounts receivable due from health club members; and

(3) Accounts receivable, the receipt of which are dependent upon the continued operation of the applicant or any of its locations.

SECTION 16. Tennessee Code Annotated, Section 47-18-308, is amended by deleting the section in its entirety and by substituting instead the following:

Section 47-18-308. This act does not affect rights or duties that matured, liabilities or penalties that were incurred, or proceedings begun before its effective date.

SECTION 17. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect

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without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 18 This act shall take effect July 1, 1989, the public welfare requiring it, and shall apply to all health club agreements entered into after July 1, 1989.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1352 by deleting Section 18, as amended, in its entirety and by substituting instead the following:

SECTION 18. This act shall take effect January 1, 1990, the public welfare requiring it, and shall apply to all health club agreements entered into after January 1, 1990.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Burnett moved that House Bill No. 1352, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 93.

A motion to reconsider was tabled.

House Bill No. 1269 -- Architects and Engineers -- Revises certain provisions relative to the requirements for licensure as architect, engineer, or landscape architect. Amends TCA 62-2-102, 103, 62-2-306.

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On motion, House Bill No. 1269 was made to conform with Senate Bill No. 877.

On motion, Senate Bill No. 877, on same subject, was substituted for House Bill No. 1269.

Rep. Miller moved that Senate Bill No. 877 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 887 by amending Section 1, subsection (b)(1)(A) by deleting the word "or" and by substituting the word "and" in its place; and,

amending Section 1(b) by adding the following language as new subsection (3)

"Farm Buildings not designed or intended for human occupancy."

On motion, Amendment No. 1 was adopted.

Rep. Shirley moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 877 by adding the following as a new section immediately preceding the effective date section and by redesignating it accordingly:

Section _____. Nothing in this act shall apply to any person, firm, company, business, corporation, or other entity constructing structures under code Type 6 of the Standard Building Code.

Rep. Wheeler moved that Amendment No. 2 be tabled; which motion prevailed by the following vote:

Ayes.	45
Noes.	40

Representatives voting aye were: Armstrong, Bell, Bragg, Cain, Callicott, Clark, Coffey, Collier, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), Garrett, Givens, Good, Head, Holt, Hubbard, Huskey, Kent, Kernell, Kisber, McAfee, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Nuber, Peroulas, Phillips, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Sipes, Stallings, Turner (Hamilton), Wheeler, Williams, Wix, Yelton -- 45.

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Representatives voting no were: Anderson, Bittle, Bivens, Buck, Byrd, Copeland, Crain, Davis (Gibson), DeBerry, Dixon, Duer, Ellis, Gaia, Gunnels, Halteman, Harrill, Hassell, Haun, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Jackson, Jones, U. (Shelby), McDaniel, Moody, Napier, Niceley, Odom, Pinion, Rhinehart, Robinson (Washington), Shirley, Stamps, Turner, L. (Shelby), Webb, West, Whitson, Wolfe -- 40.

Thereupon, Rep. Miller moved that Senate Bill No. 877, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	77
Noes.	14
Present and not voting.	4

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Hawkins, Head, Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Webb, West, Wheeler, Williams, Wix, Wolfe, Wood, Yelton -- 77.

Representatives voting no were: Buck, Burnett, Copeland, Crain, Harrill, Henry (Roane), Jones, R. (Shelby), Kent, Moody, Niceley, Shirley, Turner, L. (Shelby), Whitson, Winningham -- 14.

Representatives present and not voting were: Henry (Putnam), Jones, U. (Shelby), Purcell, Sipes -- 4.

A motion to reconsider was tabled.

House Bill No. 0656 -- Motor Vehicles, Titling and Registration -- Revises requirements for motor vehicle certificates of title under certain circumstances. Amends TCA, Title 55, Ch. 3.

On motion, House Bill No. 656 was made to conform with Senate Bill No. 1132.

On motion, Senate Bill No. 1132, on same subject, was substituted for House Bill No. 656.

Rep. Naifeh moved that Senate Bill No. 1132 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. 97
Noes. 0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 0298 -- Gas, Petroleum Products, Volatile Oils -- Revises conditions for release of reclamation land. Amends TCA, Title 60, Ch. 1, Pt. 7.

Further consideration of House Bill No. 298, previously considered on April 12 and April 19, 1989, at which time it was reset to the Calendar for April 27, 1989.

Rep. Winningham moved that House Bill No. 298 be reset to the Calendar for Thursday, May 11, 1989, which motion prevailed.

House Bill No. 0299 -- Gas, Petroleum Products, Volatile Oils -- Prohibits interference with certain activities of operator of oil or gas well. Amends TCA, Title 60, Ch. 1.

Further consideration of House Bill No. 299, previously considered on April 12 and April 19, 1989, at which time it was reset to the Calendar for April 27, 1989.

Rep. Winningham moved that House Bill No. 299 be reset to the Calendar for Thursday, May 11, 1989, which motion prevailed.

***House Bill No. 1138** -- State Employees -- Increases number of applicants certain departments may choose from when filling positions. Amends TCA 8-30-309.

Rep. Crain moved that House Bill No. 1138 be reset to the Calendar for Thursday, May 4, 1989, which motion prevailed.

House Bill No. 1436 -- Hazardous Materials -- Prohibits issuance of a permit to store, treat or dispose of hazardous waste if applicant has another site at which corrective action is being taken. Amends TCA 68-46-108.

Rep. Wix moved that House Bill No. 1436 be passed on third and final consideration.

Rep. Kernell moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1436 by deleting the amendatory language of Section 1 and by substituting instead the following:

The commissioner shall not issue a permit to a commercial facility for the storage, treatment or disposal of hazardous waste if at the time of permit issuance, the applicant or permittee is subject to an order pursuant to this part by the commissioner for corrective action; provided, however, the prohibition of this subsection shall not apply if the commissioner's order requires the applicant or permittee to obtain a permit.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Wix moved that House Bill No. 1436, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 1071 -- Workers' Compensation -- Permits disbursement of second injury fund benefits directly to claimant. Amends TCA 50-6-208.

On motion, House Bill No. 1071 was made to conform with Senate Bill No. 1095.

On motion, Senate Bill No. 1095, on same subject, was substituted for House Bill No. 1071.

Rep. Gunnels moved that Senate Bill No. 1095 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrell, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Heeron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odum, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton -- 93.

A motion to reconsider was tabled.

House Bill No. 1072 -- Surplus Property -- Authorizes local government to give surplus personal property to another local government. Amends TCA, Title 12, Ch. 3.

On motion, House Bill No. 1072 was made to conform with Senate Bill No. 720.

On motion, Senate Bill No. 720, on same subject, was substituted for House Bill No. 1072.

Rep. Gunnels moved that Senate Bill No. 720 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 720 by inserting the following language in the first sentence of the amendatory language of Section 1 between the words and punctuation "as a gift," and the words "any used or surplus":

upon approval of the governing bodies involved in the transaction,

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Gunnels moved that Senate Bill No. 720, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 93.

A motion to reconsider was tabled.

House Bill No. 0449 -- State Employees -- Permits certain exceptions to state uniform nepotism policy. Amends TCA, Title 8, Ch. 31.

Rep. Wheeler moved that House Bill No. 449 be passed on third and final consideration.

Rep. Wheeler moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 449 by inserting the following after the first sentence of the amendatory language of Section 1:

If the commissioner of personnel finds one or more of such unusual factors to exist, the commissioner may grant a waiver to the uniform nepotism policy to permit the promotion.

FURTHER AMEND by deleting Section 2 in its entirety and substituting instead the following:

Section 2. The provisions of this act shall apply only in counties having a population of not less than sixty-seven thousand three hundred (67,300) nor more than sixty-seven thousand four hundred (67,400) according to the 1980 federal census of population or any subsequent federal census.

Section 3. The provisions of this act shall cease to be effective and are hereby repealed effective one hundred and eighty (180) days after this act takes effect. Provided, however, if a waiver is granted pursuant to the provisions of this act during such period of time, such waiver shall remain valid and in effect as long as the person for whom the waiver is granted remains employed by the governmental entity.

Section 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Davis (Knox) moved to amend as follows:

Amendment No. 2:

AMEND House Bill 449 by deleting the words "this act" in Section 2, as amended, and by substituting instead the language "Section 1".

AND FURTHER AMEND by adding the following new section following Section 2, as amended, and by renumbering the subsequent sections accordingly:

Section _____. Tennessee Code Annotated, Section 8-31-103, is further amended by adding the following new subsection:

() (1) Notwithstanding the provisions of subsection (a) or Section 8-31-104 to the contrary, the executive secretary to the supreme court may request the commissioner of personnel to grant a waiver to the uniform nepotism policy to allow two(2) employees in the judicial branch of government to marry and continue employment in their present positions, notwithstanding

the fact that one(1) of the parties to the marriage will then supervise the other subsequent to such marriage. If such waiver is granted, then the provisions of this section and Section 8-34-104 shall not apply to the parties to such marriage.

(2) The provisions of this subsection shall only apply in counties having a population of not less than 319,825 and not more than 319,725 according to the 1980 federal census or any subsequent federal census.

Rep. Purcell moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes.	54
Noes.	28
Present and not voting.	2

Representatives voting aye were: Anderson, Bell, Bittle, Buck, Byrd, Cain, Callicott, Clark, Collier, Crain, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ellis, Gaia, Halteman, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Jackson, Jones, U. (Shelby), Kent, King, Kisber, Love, McDaniel, Moody, Moore (Shelby), Naifeh, Napier, Nuber, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Sipes, Stallings, Turner, C. (Shelby), Webb, West, Whitson, Williams, Wix, Wolfe, Mr. Speaker Murray -- 54.

Representatives voting no were: Armstrong, Burnett, Chiles, Copeland, Cross, Davis (Cocke), Davis (Knox), Givens, Good, Gunnels, Harrill, Hassell, Holcomb, Hubbard, Huskey, Kernell, Miller, Niceley, Odom, Peroulas, Robinson (Davidson), Scruggs, Severance, Shirley, Stamps, Turner (Hamilton), Winningham, Wood -- 28.

Representatives present and not voting were: Bragg, Haun -- 2.

Thereupon, Rep. Wheeler moved that House Bill No. 449, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	76
Noes.	12

Representatives voting aye were: Anderson, Armstrong, Bell, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Givens, Good, Gunnels, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson

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(Davidson), Robinson (Hamilton), Robinson (Washington), Sipes, Stallings, Turner (Hamilton), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 78.

Representatives voting no were: Callicott, Chiles, Copeland, Halteman, Holcomb, Moody, Peroulas, Scruggs, Severance, Shirley, Stamps, Turner, C. (Shelby) -- 12.

A motion to reconsider was tabled.

House Bill No. 0739 -- Solid Waste Disposal -- Expands the coverage of the Sanitary Landfill Areas Act to include certain counties; requires local approval of county legislative bodies. Amends TCA 68-33-106.

Further consideration of House Bill No. 739, previously considered on March 23 and April 20, 1989, at which time it was reset to the Calendar for April 27, 1989.

Rep. Moore (Lawrence) moved that House Bill No. 739 be reset to the Calendar for the last day of the 1989 session, which motion prevailed.

***House Bill No. 0166 -- Election Laws --** Allows state employees to be deputy election registrars. Amends TCA, Title 2, Ch. 12.

Further consideration of House Bill No. 166, previously considered on April 13 and April 20, 1989, at which time it was reset to the Calendar for April 27, 1989.

Rep. Dixon moved that House Bill No. 166 be reset the first available space on next year's Calendar, which motion prevailed.

CONSENT CALENDAR

House Joint Resolution No. 0310 -- Memorials, Condolence -- Honors memory of Arthena Hawkins Fairchild.

House Bill No. 1501 -- Puryear -- Abolishes position of marshal. Amends Chapter 253, Acts of 1909, as amended.

Senate Joint Resolution No. 0220 -- Memorials, Sports -- Congratulates University School of Jackson girls' basketball team on exceptional season.

Senate Joint Resolution No. 0222 -- Memorials, Sports -- Congratulates West High School girls' basketball team on district and regional championships.

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Senate Joint Resolution No. 0223 -- Memorials, Sports --
Congratulates Southside High School girls' basketball team on capturing District 14AA championship.

Senate Joint Resolution No. 0225 -- Memorials, Retirement --
Honors Police Chief Harry Truman Nave on his retirement.

Senate Joint Resolution No. 0226 -- Memorials, Condolence --
Honors memory of Mary Hart Carr.

Senate Joint Resolution No. 0227 -- Memorials, Public Service --
Honors Dr. David Jarvis, Chairman of 1988 American Cancer Society's Great American Smokeout.

Senate Joint Resolution No. 0228 -- Memorials, Professional Achievement --
Congratulates Roger Clark on being selected one of nation's Top Ten Public Works Leaders of the Year.

Senate Joint Resolution No. 0229 -- Memorials, Sports --
Honors Warren County Senior High School cheerleaders on winning second national title.

Senate Joint Resolution No. 0230 -- Memorials, Personal Achievement --
Honors Paul Greg Lockhart.

Senate Joint Resolution No. 0231 -- Memorials, Congratulations --
Congratulates Bank of Goodlettsville on 100th year of service.

Senate Joint Resolution No. 0233 -- Memorials, Sports --
Congratulates Shelbyville Central High School boys' basketball team on outstanding 1988-1989 season.

Senate Joint Resolution No. 0257 -- Naming and Designating --
Designates April 30 - May 7, 1989 as Days of Remembrance of the Victims of Holocaust.

House Resolution No. 0043 -- Memorials, Public Service --
Honors Blackman Community Club on 40th anniversary.

Senate Joint Resolution No. 0246 -- Memorials, Condolence --
Honors memory of Jesse H. Turner.

Rep. Kisber moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill; and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

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Representatives Voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 93.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

*House Bill No. 0063 -- Landlord and Tenant -- Requires lease to state that landlord is not responsible for insurance on tenant's personal property. Amends TCA 66-28-201.

Senate Amendment No. 1

Amend House Bill No. 63 by deleting the amendatory language of Section 1 and by substituting instead the following new paragraph:

The landlord is not obligated to provide fire or casualty insurance coverage for the tenant's personal property unless the rental agreement provides otherwise.

Rep. Love moved that the House nonconcur in Senate Amendment(s) No(s). 1, which motion prevailed.

*House Bill No. 0417 -- Telecommunications -- Authorizes mayor of certain municipalities to appoint certain members of board of directors of emergency communications districts. Amends TCA 7-86-105.

Senate Amendment No. 1

Amend House Bill No. 417 by deleting the words, figures and punctuation "three hundred twenty thousand (320,00)", and by substituting instead the words, figures and punctuation "three hundred nineteen thousand (319,000)".

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Rep. Miller moved that the House concur in Senate Amendment(s) No(s). 1, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 93.

A motion to reconsider was tabled.

House Bill No. 0471 -- Insurance, Health, Accident -- Requires fiscal review committee to prepare impact statement on certain bills concerning health insurance coverage. Amends TCA, Title 3, Ch. 2, Pt. 1.

Senate Amendment No. 2

Amend House Bill No. 471 by deleting the words "using the guidelines enumerated in Section 3" from the second sentence of subsection (a) of the amendatory language of Section 2 and by deleting Section 2(d) in its entirety.

Senate Amendment No. 3

TO AMEND SECTION 2 SUB-SECTION B BY ADDING THE FOLLOWING SENTENCE:

The impact note statement shall also reference all sources of information.

Rep. Rhinehart moved that the House concur in Senate Amendment(s) No(s). 2 and 3, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cooke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 92.

A motion to reconsider was tabled.

House Bill No. 0523 -- Hearing Aids Dispensers -- Revises certain provisions relative to hearing aid dispensers. Amends TCA, Title 63, Ch. 15, Pt. 1.

Senate Amendment No. 1

Amend House Bill No. 523 by deleting Sections 4 and 5 in their entirety and by appropriately renumbering the remaining sections.

Rep. Scruggs moved that the House concur in Senate Amendment(s) No(s). 1, which motion prevailed by the following vote:

Ayes	90
Noes	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cooke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Ellis, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 90.

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Representatives voting no were: DeBerry -- 1.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, May 1, 1989:

House Bill No. 30: Rep. King.

House Bill No. 193: Rep. Scruggs.

House Bill No. 215: Rep. King.

RULES SUSPENDED

Rep. Kent moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 342 out of order, which motion prevailed.

House Joint Resolution No. 0342 -- Naming and Designating -- Names Meeman-Shelby State Forest boat ramp in honor of Representative U. A. Moore. by *Kent, *DeBerry, *Jones R, *Cain, *Hassell, *King, *Dixon, *Nuber, *Turner C, *Byrd, *Williams K, *Jones U, *Kernell, Shirley, Turner L, Gaia.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kent, the resolution was adopted by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps,

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Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 93.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 83: Rep(s). Duer added as prime sponsor(s).

House Bill No. 122: Rep(s). Duer added as prime sponsor(s).

House Bill No. 1107: Rep(s). Peroulas added as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0025 -- Memorials, Personal Achievement -- Congratulates Gwendolyn Karen Warren, high academic achiever of Oakland High School. by *Hobbs.

The Speaker referred House Resolution No. 25 to the Calendar and Rules Committee.

House Resolution No. 0026 -- Memorials, Personal Achievement -- Congratulates Sparkle Ann Whitaker, Valedictorian of Eagleville High School. by *Hobbs.

The Speaker referred House Resolution No. 26 to the Calendar and Rules Committee.

House Resolution No. 0027 -- Memorials, Personal Achievement -- Honors Mini Dogra, Valedictorian of Page High School. by *Hobbs.

The Speaker referred House Resolution No. 27 to the Calendar and Rules Committee.

House Resolution No. 0028 -- Memorials, Personal Achievement -- Honors Cassie Courville, Salutatorian of Smyrna High School. by *Hobbs.

The Speaker referred House Resolution No. 28 to the Calendar and Rules Committee.

House Resolution No. 0029 -- Memorials, Personal Achievement -- Honors Carolyn Pinckley, Salutatorian of LaVergne High School. by *Hobbs.

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The Speaker referred House Resolution No. 29 to the Calendar and Rules Committee.

House Resolution No. 0030 -- Memorials, Personal Achievement -- Honors Jennifer Lee Burnette for high academic achievement. by *Hobbs.

The Speaker referred House Resolution No. 30 to the Calendar and Rules Committee.

House Resolution No. 0031 -- Memorials, Personal Achievement -- Honors Kelli Coffey, Valedictorian of Smyrna High School. by *Hobbs.

The Speaker referred House Resolution No. 31 to the Calendar and Rules Committee.

House Resolution No. 0032 -- Memorials, Personal Achievement -- Congratulates Melanie D. Crossley, Salutatorian of Eagleville High School. by *Hobbs.

The Speaker referred House Resolution No. 32 to the Calendar and Rules Committee.

House Resolution No. 0033 -- Memorials, Personal Achievement -- Congratulates Callie Goedde, Valedictorian of Riverdale High School. by *Hobbs.

The Speaker referred House Resolution No. 33 to the Calendar and Rules Committee.

House Resolution No. 0034 -- Memorials, Personal Achievement -- Honors Renee Layne Webb for high academic achievement. by *Hobbs.

The Speaker referred House Resolution No. 34 to the Calendar and Rules Committee.

House Resolution No. 0035 -- Memorials, Personal Achievement -- Honors Laura R. Baskin, Valedictorian of Oakland High School. by *Hobbs.

The Speaker referred House Resolution No. 35 to the Calendar and Rules Committee.

House Resolution No. 0036 -- Memorials, Personal Achievement -- Honors Erika Peebles, Salutatorian of Smyrna High School. by *Hobbs.

The Speaker referred House Resolution No. 36 to the Calendar and Rules Committee.

House Resolution No. 0037 -- Memorials, Personal Achievement -- Honors Sean Smith, Salutatorian of Page High School. by *Hobbs.

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The Speaker referred House Resolution No. 37 to the Calendar and Rules Committee.

House Resolution No. 0038 -- Memorials, Personal Achievement -- Honors Catherine Ann Bordash for high academic achievement. by *Hobbs.

The Speaker referred House Resolution No. 38 to the Calendar and Rules Committee.

House Resolution No. 0039 -- Memorials, Personal Achievement -- Congratulates Jennifer Stalvey, Salutatorian of Riverdale High School. by *Hobbs.

The Speaker referred House Resolution No. 39 to the Calendar and Rules Committee.

House Resolution No. 0040 -- Memorials, Personal Achievement -- Congratulates Kelly B. Seab, high academic achiever of Oakland High School. by *Hobbs.

The Speaker referred House Resolution No. 40 to the Calendar and Rules Committee.

House Resolution No. 0042 -- Memorials, Personal Achievement -- Honors Carolyn Chesebro, Valedictorian of LaVergne High School. by *Hobbs.

The Speaker referred House Resolution No. 42 to the Calendar and Rules Committee.

House Resolution No. 0044 -- Memorials, Personal Achievement -- Congratulates Rebecca Merrill, Salutatorian of Riverdale High School. by *Hobbs.

The Speaker referred House Resolution No. 44 to the Calendar and Rules Committee.

House Joint Resolution No. 0312 -- General Assembly, Studies -- Creates special joint committee to study lien laws. by *Ellis, *Williams K, *Shirley, *Herron, *Bittle, *Turner L.

The Speaker referred House Joint Resolution No. 312 to the Commerce Committee.

House Joint Resolution No. 0313 -- Memorials, Condolence -- Honors memory of Clark D. Williford. by *Niceley, *Davis R E, *Sipes.

The Speaker referred House Joint Resolution No. 313 to the Calendar and Rules Committee.

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House Joint Resolution No. 0316 -- General Assembly, Studies -- Creates special joint committee to study asbestos and handling, installation, abatement and removal thereof. by *Williams K, *Ellis.

The Speaker referred House Joint Resolution No. 316 to the General Welfare Committee.

House Joint Resolution No. 0317 -- Memorials, Public Service -- Honors Dr. Roy Lanier, former General Assembly member. by *Crain.

The Speaker referred House Joint Resolution No. 317 to the Calendar and Rules Committee.

House Joint Resolution No. 0318 -- Memorials, Public Service -- Honors Motlow State Community College on twentieth anniversary. by *Curlee.

The Speaker referred House Joint Resolution No. 318 to the Calendar and Rules Committee.

House Joint Resolution No. 0319 -- Memorials, Personal Achievement -- Honors Jeffery Alcorn, Salutatorian of Upperman High School. by *Henry Dwight.

The Speaker referred House Joint Resolution No. 319 to the Calendar and Rules Committee.

House Joint Resolution No. 0321 -- Memorials, Condolence -- Expresses sorrow at death of Charles Edward Shoopman. by *Wheeler, *Coffey, *Cross.

The Speaker referred House Joint Resolution No. 321 to the Calendar and Rules Committee.

House Joint Resolution No. 0322 -- Memorials, Recognition and Thanks -- Honors Theodore R. Bryant of Chattanooga. by *Robinson C B, *Turner B, *Wood, *McAfee, *Copeland, *Starnes.

The Speaker referred House Joint Resolution No. 322 to the Calendar and Rules Committee.

House Joint Resolution No. 0323 -- Memorials, Sports -- Congratulates Scott High School boys' basketball team on capturing district 4AA championship. by *Winningham.

The Speaker referred House Joint Resolution No. 323 to the Calendar and Rules Committee.

House Joint Resolution No. 0324 -- General Assembly, Statement of Intent Or Position -- Recognizes the 75th anniversary of the Smith-Lever Act and role in establishing nation's state cooperative extension service. by *Hobbs.

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The Speaker referred House Joint Resolution No. 324 to the Calendar and Rules Committee.

House Joint Resolution No. 0326 -- Memorials, Personal Occasion
-- Honors Shirley and Ralph Packett on 32rd wedding anniversary.
by *Pinion.

The Speaker referred House Joint Resolution No. 326 to the Calendar and Rules Committee.

House Joint Resolution No. 0327 -- Memorials, Government Officials -- Directs state election coordinator and commissioners of personnel, health and environment, employment security, safety, human services and revenue to conduct study on making voter registration more readily available. by *Dixon, *Pruitt.

The Speaker referred House Joint Resolution No. 327 to the State and Local Government Committee.

House Joint Resolution No. 0328 -- Memorials, Personal Occasion
-- Congratulates Dorothy Alise Phillips on birthday. by *Good.

The Speaker referred House Joint Resolution No. 328 to the Calendar and Rules Committee.

House Joint Resolution No. 0329 -- General Assembly, Studies -- Creates joint committee to study school drop out rate. by *Turner L, *Davidson, *Winningham, *Armstrong, *Bittle, *Ellis, *Halteman, *Dixon, *Cain, *Gaia, Pruitt, Jones U, King, Jones R, Burnett, Love.

The Speaker referred House Joint Resolution No. 329 to the Education Committee.

House Joint Resolution No. 0330 -- Memorials, Interns and Pages
-- Honors Jill Markle, 1989 legislative intern. by *Dixon, *Turner L.

The Speaker referred House Joint Resolution No. 330 to the Calendar and Rules Committee.

House Joint Resolution No. 0331 -- Memorials, Professional Achievement -- Honors Dwight Hawkersmith for achievements in Tae Kwon Do. by *Murray.

The Speaker referred House Joint Resolution No. 331 to the Calendar and Rules Committee.

House Joint Resolution No. 0332 -- Memorials, Professional Achievement -- Honors Ray "Gabby" Street on entry into TSSAA Hall of Fame. by *Murray.

The Speaker referred House Joint Resolution No. 332 to the Calendar and Rules Committee.

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House Joint Resolution No. 0333 -- Memorials, Government Officials -- Directs state funding board to review use of collateral pools to secure local government deposits. by *Rhinehart, *Naifeh, *Wheeler.

The Speaker referred House Joint Resolution No. 333 to the Commerce Committee.

House Joint Resolution No. 0335 -- Memorials, Congratulations -- Honors Tamara Phillips, Monterey High School. by *Henry Dwight.

The Speaker referred House Joint Resolution No. 335 to the Calendar and Rules Committee.

House Joint Resolution No. 0336 -- Memorials, Congratulations -- Honors Jimmy B. Johnson, Upperman High School. by *Henry Dwight.

The Speaker referred House Joint Resolution No. 336 to the Calendar and Rules Committee.

House Joint Resolution No. 0337 -- Memorials, Government Officials -- Urges Tennessee Historical Commission to study cost of erecting a memorial at Vicksburg National Military Park. by *Crain.

The Speaker referred House Joint Resolution No. 337 to the State and Local Government Committee.

House Joint Resolution No. 0338 -- Memorials, Congratulations -- Honors Amy Winfree, Upperman High School. by *Henry Dwight.

The Speaker referred House Joint Resolution No. 338 to the Calendar and Rules Committee.

House Joint Resolution No. 0339 -- Memorials, Personal Achievement -- Honors Audrey Tolbert, Salutatorian of Cookeville High School. by *Henry Dwight.

The Speaker referred House Joint Resolution No. 339 to the Calendar and Rules Committee.

House Joint Resolution No. 0340 -- Memorials, Congratulations -- Honors Ranjana Sahai, Cookeville High School. by *Henry Dwight.

The Speaker referred House Joint Resolution No. 340 to the Calendar and Rules Committee.

House Joint Resolution No. 0341 -- Memorials, Congratulations -- Honors Paul Gilpatrick, Monterey High School. by *Henry Dwight.

The Speaker referred House Joint Resolution No. 341 to the Calendar and Rules Committee.

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**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Senate Joint Resolution No. 0243 -- Memorials, Interns and Pages -- Honors Fiona E. McAnally, 1989 legislative intern.

The Speaker referred Senate Joint Resolution No. 243 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0252 -- Memorials, Public Service -- Congratulates Elder Spencer H. Osborn, member of Second Quorum of the Seventy of Church of Jesus Christ of Latter-Day Saints.

The Speaker referred Senate Joint Resolution No. 252 to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

House Bill No. 1507 -- Cookeville -- Authorizes leasing of certain hospital facilities. Amends Chapter 223, Private Acts of 1961, as amended. by *Henry Dwight.

Passed first consideration.

House Bill No. 1508 -- Blount County -- Prohibits billboards or outdoor advertising within 2,000 feet of certain roads. by *Anderson, *Huskey.

Passed first consideration.

House Bill No. 1509 -- Alcoholic Beverages -- Expands definition of club for certain establishment in Cumberland County. Amends TCA 57-4-102. by *Duer, *Hillis.

Passed first consideration.

House Bill No. 1510 -- Jackson -- Amends city charter. Amends Chapter 167, Private Acts of 1969, as amended. by *Kisber, *Sipes.

Passed first consideration.

REPORT OF DELAYED BILLS COMMITTEE

April 27, 1989

Pursuant to Rule No. 78, having received the approval of the legislative delegation, we the undersigned members of the Delayed Bills Committee have approved the following general bill of local application: House Bill No. 1509.

Ed Murray, Speaker
Jimmy Naifeh
John Chiles, Jr.

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SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 0133 -- Sunset Laws -- Extends termination date of department of education. Amends TCA, Title 2, Ch. 19; Title 3, Ch. 15; Title 4, Chs. 3, 11, 12, 29; et al.

Held on the Clerk's desk pending third consideration of companion House Bill No. 28.

Senate Bill No. 0134 -- Sunset Laws -- Extends termination date of Clover Bottom development center, board of trustees. Amends TCA, Title 4, Ch. 29; Title 33, Ch. 2.

Held on the Clerk's desk pending third consideration of companion House Bill No. 27.

Senate Bill No. 0135 -- Sunset Laws -- Extends termination date of Greene Valley developmental center, board of trustees. Amends TCA, Title 4, Ch. 29; Title 33, Ch. 2.

Held on the Clerk's desk pending third consideration of companion House Bill No. 32.

Senate Bill No. 0152 -- Sunset Laws -- Extends termination date of Memphis mental health institute, board of trustees. Amends TCA, Title 4, Chs. 3, 29; Title 33, Ch. 2.

Held on the Clerk's desk pending third consideration of companion House Bill No. 224.

Senate Bill No. 0155 -- Sunset Laws -- Extends termination date of western mental health institute, board of trustees. Amends TCA, Title 4, Ch. 29; Title 33, Ch. 2.

Held on the Clerk's desk pending third consideration of companion House Bill No. 221.

Senate Bill No. 0158 -- Sunset Laws -- Extends termination date of state board of education. Amends TCA, Title 1, Ch. 3; Title 2, Ch. 17; Title 4, Chs. 3, 5, 6, 29; et al.

Held on the Clerk's desk pending third consideration of companion House Bill No. 218.

Senate Bill No. 0182 -- Sunset Laws -- Extends termination date of Lakeshore mental health institute. Amends TCA, Title 4, Ch. 29; Title 33, Ch. 2.

Held on the Clerk's desk pending third consideration of companion House Bill No. 214.

Senate Bill No. 0889 -- Tort Liability -- Grants immunity to certain medical organizations which participate in peer review. Amends TCA 63-6-219.

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Held on the Clerk's desk pending third consideration of companion House Bill No. 421.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1503 -- Franklin -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

House Bill No. 1504 -- Courts, General Sessions -- Passed second consideration and referred to the Judiciary Committee.

*House Bill No. 1505 -- County Government -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 1506 -- Henry County -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

REPORT OF CHIEF ENGROSSING CLERK

April 27, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 266, 475, 841 and 1017; and House Joint Resolution(s) No(s). 16, 24, 36, 107, 253, 254, 255, 256, 257, 258, 259, 260, 261 and 262; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS

April 27, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 104; House Joint Resolution(s) No(s). 288 and 308; and House Resolution(s) No(s). 23 and 41; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

April 27, 1989

The Speaker announced that he had signed the following: House Bill(s) No(s). 104; House Joint Resolution(s) No(s). 288 and 308; and House Resolution(s) No(s). 23 and 41.

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MESSAGE FROM THE SENATE

April 27, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 491; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 27, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 280, 281, 286 and 287; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

April 27, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 427, 649 and 998; and House Joint Resolution(s) No(s). 182; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

April 27, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 933; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 27, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 320; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

April 27, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 652; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 27, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1150; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 27, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 680; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

April 27, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1343, 1352 and 1436; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS

April 27, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 280, 281, 286

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and 287; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS
April 27, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 320; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED
April 27, 1989

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 280, 281, 286, 287 and 320.

MESSAGE FROM THE GOVERNOR
April 27, 1989

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill(s) No(s). 273, 381, 604, 640, 669, 1062, 1192, 1473, 1474, 1483, 1487, 1488, 1489, 1490, 1492 and 1493; and House Joint Resolution(s) No(s). 241, 245, 246, 247, 248, 249, 278, 279, 282, 295 and 300, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

MESSAGE FROM THE SENATE
April 27, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 588, 779, 1453 and 1496; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE
April 27, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 253, 405, 607, 613 and 931; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0253 -- Correction, Dept. of -- Enacts "State and Local Correction Reform Act of 1989". Amends TCA, Titles 8, 40, 41.

*Senate Bill No. 0405 -- Jails, Local Lock-ups -- Prohibits decertification of local jail if only reason would be overcrowding with state prisoners. Amends TCA, Title 41, Ch. 4.

*Senate Bill No. 0607 -- Motor Vehicles -- Increases amount of damage to property of another resulting from motor vehicle accident required before driver guilty of a misdemeanor for failure to stop at scene of accident. Amends TCA, Title 55, Chs. 10, 12.

Senate Bill No. 0613 -- County Officers -- Permits county legislative body to set salaries of field deputy sheriffs. Amends TCA 8-20-103.

Senate Bill No. 0931 -- Election Laws -- Requires coordinator of elections to review certain sample ballots in prompt and timely manner. Amends TCA 2-5-207, 208.

MESSAGE FROM THE SENATE
April 27, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 235, 236 and 237; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0235 -- Memorials, Sympathy -- Honors Jerry Glen Bridges, U.S. Army flight engineer, MIA Vietnam.

Senate Joint Resolution No. 0236 -- Memorials, Interns and Pages -- Honors Vernon "Jay" Johnson, Jr., 1989 legislative page.

Senate Joint Resolution No. 0237 -- Memorials, Sports -- Congratulates William E. Todd, Sr. on induction into TSSAA Hall of Fame.

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ENGROSSED BILLS
April 27, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 449 and 1501; and House Joint Resolution(s) No(s). 310 and 342; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS
April 27, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 383, 417, 471, 491, 523, 588, 672, 779, 1133, 1453 and 1496; and House Resolution(s) No(s). 43; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
April 27, 1989

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1503 and 1506.

REPORT OF COMMITTEE ON CALENDAR AND RULES
April 27, 1989

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, May 4, 1989: House Bill(s) No(s). 72, 871, 376, 937, 732, 977, 272, 1164, 816, 43, 348, 1082, 1272, 465, 1015 and 746.

PHILLIPS, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
April 27, 1989

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, May 1, 1989: House Bill(s) No(s). 725 and 349; House Joint Resolution(s)

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No(s). 184; House Resolution(s) No(s). 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42 and 44; House Joint Resolution(s) No(s). 313, 317, 318, 319, 321, 322, 323, 324, 326, 328, 330, 331, 332, 335, 336, 338, 339, 340 and 341; House Bill(s) No(s). 1503 and 1506; and Senate Joint Resolution(s) No(s). 243 and 252.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Anderson, Armstrong, Bell, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 95.

On motion of Rep. Naifeh, the House adjourned until 5:00 p.m., Monday, May 1, 1989.